

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 10, 2003 at 1:30 P.M.
(With corrections approved 02-24-03 in bold and parenthesis)

Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 7th of February 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 2 Roll Call – Margie Ramirez Ibarra, County Clerk

Item No. 4 Pledge of Allegiance – Cmr. Felix Velasquez

Item No. 3 Invocation – Cmr. Judith Gutierrez

Item No. 5 Approval of Minutes, January 27, 2003

Cmr. Gutierrez stated that on Item No. 14, page 13, "checks" should state "desks" and questioned Item 27, which states that there was no second according to the video recording and the official transcripts. She stated that no action could be taken without a second. Mr. Homero Ramirez, County Attorney, recommended the Court table action on the minutes until all information can be reviewed.

Cmr. Gutierrez motioned to table minutes until next meeting. Cmr. Vasquez seconded the motion.

Motion to table approval of minutes carried 5-0 by unanimous consent.

Item No. 6 Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, presented Court with side bills totaling \$8,726.89. Cmr. Velasquez stated that Court had not received copy of side bills to review prior to meeting.

Cmr. Velasquez motioned to defer approval of side bills. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent to defer approval of side bills.

Ms. Patricia Barrera, Tax Assessor Collector, presented report for her department for January 2003.

Cmr. Velasquez motioned to accept report as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Public Comment

Mr. John Helsley was present to address the Court in regards to Item No. 39 on the Rail Road Redistricting.

Cmr. Gutierrez motioned to move up Item No. 39. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39 Discussion and possible action for a resolution and order forming the Rural Rail Transportation District and for the appointment of the Webb County Judge, and the Webb County Commissioners as temporary board members for (30) days until the appointment of the permanent board members. **[Executive session may be requested pursuant to Texas Open Meetings Act, Section 551.071, Government Code, Consultation with County Attorney]**

Mr. John Helsley advised Court that he would recommend that the members of the Commissioners Court serve as temporary Board members for the Rural Rail Transportation District for a period of 30 days until a permanent board has been established.

He also recommended that the permanent board consist of 5-7 members.

Cmdr. Gutierrez motioned to approve item as submitted. Cmdr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent

Return to Public Comments

Dr. Hector Farias was present to discuss the State Comptrollers decision to possibly implement a percentage charge to all manifestos in the state of Texas. He stressed the impact that this decision would have on the economy of Laredo and surrounding communities. He also congratulated the Court on its decision to implement a Rural Rail district in Webb County, a decision that would benefit the economy in Webb County as well as bring in employment opportunities for Webb County residents.

Cmdr. Cortez motioned to move up items 41, 38 and 44. Cmdr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent

Item No. 41

Discussion and possible action to enter into a professional services contract with Clifford M. Black, PH.D, C.C.S., Professor of Sociology and Criminal Justice, Principal Investigator for the Webb County Arrestee Drug Abuse Monitoring (ADAM) program for increased drug interdiction activities in the county focusing upon Illegal Drug Elimination Awareness Activities (IDEAA), for a period of one (1) year beginning on October 1, 2002 through September 30, 2003 at an annual cost of \$45,000 and authorizing the County Judge to execute all relevant documents. [Account #001-0109-6022 Professional Services]

Judge Bruni advised Sheriff Juan Garza to address the court in regards to this matter. Sheriff Garza stated that he would like more time to further research this matter and come before the court at a later date.

Cmdr. Cortez motioned to table item. Cmdr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent to table item.

Item No. 38

Presentation by Vapor Power Corporation

Mr. William Ward of International Vapor Power Corporation was present to advise the Court as to how Vapor Power Corporation can help Webb County with its current trash problems by converting waste such as tires, organic and inorganic materials, into distilled water and electric power. Also present to represent International Vapor Power Corporation was Dr. Charles Janet and Mr. James Foster. Mr. Ward advised that the County would have no financial liability or responsibility in this facility. The County would be responsible only for providing 40 acres of land. If the facility failed, the County would retain ownership of the land. If the facility prospered, Vapor International would transfer ownership of the facility to Webb County. Mr. Ward stated that all byproducts of the waste conversion would be either consumed by the facility or sold. He stated that 2-5% of the residual materials could be turned into a form of liquid glass. He stated that the facility is capable of creating 100 megawatts of power, 20 megawatts to power the company with the remaining 80 megawatts available for sale to the public. He stated that 80 megawatts is enough to power 80,000 homes. He stated that the amount of distilled water produced daily would vary depending on the composition of the waste but that approximately 200,000 gallons of distilled water could be produced daily.

Due this was a presentation, there was no action on this item.

Item No. 44

Discussion to form a Commission that will organize the planning of Laredo's 250th Anniversary Celebration in the year 2005 for the Webb County Heritage Foundation.

Ms. Margarita Araiza and Mr. Dennis Kriewald were present to address the court in regards to the 250th Anniversary of Laredo's founding. Ms. Araiza stated that at the moment, Mayor Betty Flores and Judge Louis Bruni would serve as co-chairs of the event and the commissioners would serve as committee chairs for several groups. She stated that the Webb County Heritage Foundation is hoping to celebrate the festivities all year long.

Comr. Gutierrez motioned to approve motion as submitted. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez motioned to move up items 37 and 43. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to move up items 37 and 43.

Item No. 37

Discussion and possible action to authorize the issuance of "Webb County, Texas Limited Tax Refunding Bonds, Series 2003," and making provisions for the security thereof; authorizing a bond purchase agreement; and approving other matters relating thereto.

Mr. Don Gonzalez, representing Estrada Hinojosa Investment Bankers, financial advisors to Webb County, presented the Pricing Report for the Limited Tax Refunding Bonds Series 2003, which included the financial team, the historical analysis, refunding summary, ratings and credit enhancement as well as the preliminary Official Statement.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent

Cmr. Vasquez motioned to move up item 15 after item 43 has been presented. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to move up item 15.

Item No. 43

Presentation and discussion concerning Mr. Paul De La Pena, Performing Arts student at TAMIU traveling to New York to sing with the Laredo Philharmonic Chorale at Carnegie Hall.

Mr. Paul de la Pena, representing the Laredo Philharmonic Chorale (LPC) and Mr. Danny Alejo, representing the Vidal M. Treviño School of Communications and Fine Arts, were present to advise the Court and the public that the LPC would be representing Laredo and Webb County at a concert in Carnegie Hall in New York in May. He stated that each member needed to raise \$1500 in order to cover the airfare, lodging and food. He stated that the group has been holding fundraisers but is still about \$3000 short of their goal. He stated that he understood that the County budget had already been set but that he hoped the members of the community watching the meeting from home would be willing to donate some monies to their cause.

He stated that if any one had any questions, they could contact Ms. Gloria Fernandez at 722-3269.

Judge Bruni stated that he would have his Chief Financial Officer as well as the County Auditor check if there were any way that the County can donate the \$3000 dollars that are pending.

Due this was a presentation, no action was taken on this item.

Item No. 15

Discussion and possible action to approve financing of utility equipment previously purchased for the Road and Bridge Department by lease-purchase agreement with LEASING 2, INC., in the amount of \$542,011.80, and authorizing the County Judge to sign all relevant documents [Account #010-7002-8801 CAPITAL OUTLAY and #600-9101-9829 CAPITAL LEASE ROAD MAINTENANCE].

Comr. Vasquez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent

Return to Item No. 7 Public Comments

Ms. Laurie Moreno, chairperson for the Laredo Little Theater, and Ms. Alicia Medina, historian for the "Jam for George" organization were present to thank the County for its ongoing assistance through third party funding. Ms. Moreno stated that the "Jam for George" profits go to benefit the Laredo Little Theater and she extended an invitation to the "Jam for George" festivities to be held on February 14, 2003 at the El Metro Park & Ride.

Mr. Joe Gutierrez, Director of Parks and Recreation, was present to address the court in regards to Item No. 32.

Comr. Gutierrez motioned to bring up item No. 32. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni stated that due this item was to be discussed in Executive Session, he would move the item to the end of the agenda.

Comr. Gutierrez withdrew her motion.

Cmr. Velasquez moved to recall Item No. 6 due there was no report from the Auditor's Department presented.

Mr. Leo Flores, County Auditor, stated that report was not ready but will be submitted this afternoon. Cmr. Velasquez inquired as to why report was not completed in time. Mr. Flores stated that report was not being held back purposely but was not completed and will be submitted as soon as it is complete. Cmr. Cortez inquired if there was a particular reason as to why report was not completed on time this month and what the due date for that report was. Mr. Flores stated that there is no due date other than the 1st meeting of the month and that as soon as report is prepared, he submits report to Court. Cmr. Vasquez stated that he has been having this problem with the Auditors Department for two years, in which he has requested the reports be turned in on time but that the problem continues. He stated that if this continues to occur, he would submit a report to the District Judges in regards to Mr. Flores due the Auditors Department is under their jurisdiction. Mr. Flores stated that even if reports were delivered on time, the confrontation between Cmr. Velasquez and himself will continue. Cmr. Velasquez stated that he has nothing personal against Mr. Flores. Cmr. Cortez requested the removal of Mr. Flores due he was being disrespectful to the Court. Judge Bruni agreed and Mr. Flores was dismissed from the podium.

Item No. 8

Discussion and possible action to change project site and related matters concerning Texas Community Development Program contract #721859 (Elevated Storage Tank in Oilton, Texas and Community Centers in Rancho Penitas West and Mirando City), and authorize the submission of an amendment request reflecting said changes to Texas Community Development Program for contact #721859, including project site change and environmental assessment, and authorizing the County Judge to sign all relevant documents.

For the record, the change of site location from Precinct 4 to Precinct 2 was due to a PLAT issue that arose with Precinct 4. Site in Precinct 2 was a donated site as was the one in Precinct 4.

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion and possible action on submitting a contract time extension request to the Texas Water Development Board for the Webb County Highway 59 Facility Plan Project for six (6) additional months or up to July 31, 2003 at no cost to the County.

Item No. 10 Discussion and possible action to approve Change Order No. 1 to the Caldwell Tanks, Inc. Construction Contract No. 721859 concerning the Oilton, Texas Elevated Water Storage Tank Project in the additional amount of Three Thousand Dollars (\$3,000.00) to be paid by the Oilton Rural Water Supply Corporation with no cost being attributed to Webb County. This change order was required due to a revision on the logo to be placed on two sides of Elevated Water Tank.

 Cmr. Gutierrez motioned to approve Items 9 and 10 as submitted. Cmr. Cortez seconded the motion.

 Motion carried 5-0 by unanimous consent.

Item No. 11 Discussion and possible action to authorize a resolution for the submission of FY 2004 project application for the Texas Task Force on Indigent Defense in the amount as determined from the Texas Task Force on Indigent Defense. The proposed grant is to aid counties in improving and enhancing the delivery of indigent legal defense services.

 Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

 Motion carried 5-0 by unanimous consent.

Item No. 12 Discussion and possible action to accept FY 2003 grant award from the Texas Task Force on Indigent Defense in the amount of \$95,306.00 and to authorize the County Judge to sign all the documentation necessary.

 Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

 Motion carried 5-0 by unanimous consent.

Item No. 13 Discussion and possible action to approve requests for refunds as recommended by the Tax Assessor Collector as follows:

- a. Corona Development LC
 Reason: Double Assessed in 2000 & 2001
 Total Refund: \$1,891.79
- b. Ido & Wf. Nava Aharonson
 Reason: Correction on Square Footage
 Total Refund: \$546.25

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14 Discussion and possible action to authorize the purchasing agent to purchase from the following vendors for Community Action Agency Weatherization department as per the Purchasing Agent's recommendation (Total Expenditures \$108,724.65).

Insulation: Border Insulation – Furnish/install R-30 Blown Insulation Bid No. 2002-39

Appliances: **Clark Hardware, Ltd.** – Heaters
 Lowe's – Natural Gas Stoves
 Sears Roebuck & Co. – Refrigerators
 R & M Refrigeration Supply, Inc. –
 Weather King furnace
 Air Sam's Cooling – Installation/disposal
 of furnaces
 Juan Rodriguez Construction –
 installation/disposal of water heaters

Comr. Gutierrez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16 Discussion and possible action to authorize the purchasing agent to purchase office furniture for the District Attorney's office from Wittigs Office Interiors in the amount of

\$10,817.00 [Account #169-1100-8408 OFFICE EQUIPMENT].

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17

Discussion and possible action to select an architect and authorize the negotiation of contract for architectural services for park improvements in the Oilton and Mirando City areas [Account #678-8103-8710-2 [PARK DEVELOPMENT]].

Mr. Eloy Ramirez, Purchasing Agent, stated that bids had been requested and only one was submitted. He stated that he recommended the court accept the bid from Architectura, S.A.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18

Discussion and possible action to authorize Medina Electric Cooperative, sole provider of electric utility services to north east Webb County, to provide electric power to the temporary morgue located at the old Detention Center in the amount of SIX THOUSAND SEVEN HUNDRED AND FORTY SEVEN DOLLARS AND NINE CENTS (\$6,747.09) and ordering a discretionary exemption from competitive bidding under Local Government Code section 262.024 (c) [Account #676-8101-8601 CONSTRUCTION IN PROGRESS]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 19

Discussion and possible action to authorize North Central Oil Corporation to draw water from an existing stock tank for drilling operations and offering to pay Webb County \$1.25 per foot drilled. The proposed depth is 8,200 feet with an estimated total revenue to Webb County of approximately \$10,250 (Cuchillas and Lomas pastures Webb County School Lands).

Mr. Homero Ramirez, County Attorney, advised court to defer action to next meeting to research contract specifications.

Judge Bruni stated that he would approve item with a contingency to have North Central Oil Corporation and the County Attorney get together to work out the details of this contract.

Judge Bruni motioned to approve item with a contingency to evaluate contract. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20

Discussion and possible action to transfer \$27,577.00 from interest earnings of Certificates of Obligation Series 2001 to account number 682-8108-8801 (Capital Outlay) to purchase furniture and equipment for the County Judge, Commissioner Felix Velasquez and Commissioner Judith Gutierrez.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez inquired as to whether all 2001 CIP projects have been completed. Mr. Jorge Flores, Chief Financial Officer, stated that some projects have not been completed and that there are funds available in Capital Outlay. Mr. Ramirez stated that he would recommend the Court wait for the completion of the CIP projects and then extra funds can be used to pay for items requested. Cmr. **(Vasquez)** inquired as to how much monies were going to be spent for Cmr. Velasquez's furniture. Mr. Ramirez, Purchasing Agent, stated that the furniture would come to about \$2300. Mr. Ramirez, County Attorney, stated that the monies could be used if items were classified as a project.

Motion carried 5-0 by unanimous consent.

Item No. 21

Discussion and possible action to authorize the purchasing agent to purchase office furniture for the Webb County Courthouse from Wittings Office Interiors in the amount of \$10,391.00 and computer equipment for the County Judge's Office in the amount of \$17,185.68 from PC Mall and IBM [Account #682-8108-8801 CAPITAL OUTLAY].

Cmr. Velasquez motioned to approve item as submitted with discussion. Cmr. Gutierrez seconded the motion.

Judge Bruni stated that the article that appeared in the Laredo Morning Times was an untruth and that Mr. Eloy Ramirez was present when he came into office on January 1, 2003 and there was not even a telephone in the office. Mr. Eloy Ramirez agreed with Judge Bruni. Cmr. Velasquez clarified that he was requesting a secretary workstation with several pieces of furniture, not just a desk for \$2300. He stated that he would not approve this item if it were unreasonable. He stated that the funding would be from the Capital Outlay funds, not the fund balance.

Cmr. Vasquez stepped out.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

Item No. 22

Discussion and possible action to fill the following slots:

- a. Slot #2052, part-time substitute teacher (15 hours per week for 10 months) in the amount of \$4,578.00 effective February 11, 2003;
- b. Slot #1701, part-time substitute teacher (15 hours per week for 10 months) in the amount of \$4,578.00 effective February 11, 2003;
- c. Slot #1699, part-time substitute teacher (15 hours per week for 10 months) in the amount of \$4,578.00 effective February 11, 2003;
- d. Slot #1088, full-time Bus Driver in the amount of \$15,893.00 (40 hours per week for 10 months), effective February 11, 2003.

[Account #903-4208-5001 PAYROLL]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

Item No. 23

Discussion and possible action to approve by Order, Webb County's Rural Transportation Policies and Procedures for its "Demand Response" rider ship program to disabled individuals residing within the rural areas of Webb County, Texas.

Cmr. Vasquez arrives.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action to adopt a resolution and order to submit a grant application for fiscal year 2002-2003 to the State of Texas, Office of the Governor, Criminal Justice Division, for a Mediation Program in the amount of THIRTY-THREE THOUSAND SIX HUNDRED AND EIGHT DOLLARS (\$33,608.00) and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and possible action to adopt a resolution and order to submit a grant application for fiscal year 2002-2003 to the State of Texas, Office of the Governor, Criminal Justice Division, for a Juvenile Service Purchase Grant in the amount of THIRTEEN THOUSAND DOLLARS (\$13,000.00) with a cash match of NINE THOUSAND DOLLARS (\$9,000.00) for a total project amount of TWENTY TWO THOUSAND DOLLARS (\$22,000.00) and authorizing the County Judge to sign all relevant documents [Account No. 001-0112-7209-04 PURCHASE JUVENILE SERVICE]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

For the record, the County cash match is \$10,177 not \$9000 as stated on the Agenda.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action to amend the Sick Leave Pool Policy so that an eligible employee may not use time in the sick leave pool that exceeds the lesser of one third (1/3) of the total amount in the pool or one hundred and eighty (180) days. This change is in compliance with Texas Local Government Code, Chapter 157, Subchapter E.

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 27

Discussion and possible action to enter into a Common Remitter Service Agreement with Life Investors Company of America, cancer policy insurer, at no cost to Webb County and to authorize the County Judge to sign all relevant documents. The remitter service agreement will provide for uniformity in accounting and billing of Life Investors policyholders with remitter service being done through Transamerica Assurance Company.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 28

Discussion and possible action to make an exception to Webb County's health insurance plan to allow coverage for reconstructive surgery to correct a congenital condition for an employee's dependent over the age of nineteen years where the surgery could not be performed prior to the dependent's nineteenth birthday because of temporary disability of the dependent's surgeon. [Account #816-0105-9201 CLAIMS PAID] **(Executive Session may be requested pursuant to Texas Open Meetings Act, Section 551.071 Texas Government Code Consultation with Attorney).**

Judge Bruni stated that item would be moved to Executive Session.

Item No. 29

Discussion and possible action to adopt a resolution and order authorizing the acceptance of a Border Colonia Access Program Grant in the amount of \$2,317,278.00 for El Cenizo, Texas, and authorizing the County Judge to act as the County's Chief Elected Officer and authorized representative in all matters pertaining to the County's participation in the Border Colonia Access Program and authorizing the County Judge to sign all relevant documents. [Requested by Engineering Department]

Item No. 30 Discussion and possible action to adopt a resolution and order authorizing the acceptance of a Border Colonia Access Program Grant in the amount of \$2,304,250.00 for Rio Bravo, Texas, and authorizing the County Judge to act as the County's Chief Elected Officer and authorized representative in all matters pertaining to the County's participation in the Border Colonia Access Program and authorizing the County Judge to sign all relevant documents. [Requested by Engineering Department]

Item No. 31 Discussion and possible action to enter into a lease agreement with Doctor's Hospital for lease space at a Mann Road facility to lease approximately 2500 square feet of kitchen space to be used by the Community Action Agency for meal preparations and food storage. The lease term is for one (1) year commencing on March 1, 2003 and ending February 29, 2004 at a monthly rental fee of THREE THOUSAND ONE HUNDRED DOLLARS (\$3,100.00) for a total amount of THIRTY SEVEN THOUSAND TWO HUNDRED DOLLARS (\$37,200.00) for the Lease Term and authorizing the County Judge to execute any and all relevant documents [Community Action Agency Account Number 955-4222-6012 & 952-4216-6012 SPACE RENTAL]

Cmr. Gutierrez motioned to approve Items 29, 30 and 31 as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32 Discussion and possible action to consider a request from the City of Laredo to acquire real property from Webb County out of the Casa Blanca Country Club Tract, more particularly, being a strip of land located between Bob Bullock Loop and the Casa Blanca Road (golf course clubhouse entrance road) and authorization for the County Judge's office to acquire the services of certified, real estate appraiser to establish the fair market value of the property with authorization for Mr. Raul Casso, Chief of Staff, to negotiate the terms, conditions, and fair market consideration with City of Laredo representatives in the development of any Interlocal agreement for the Commissioners Court's consideration and any matters incident thereto. **[EXECUTIVE SESSION IS REQUESTED PURSUANT TO TEXAS OPEN MEETINGS ACE, SECTION**

**551.072 OF THE TEXAS GOVERNMENT CODE,
DELIBERATED REGARDING REAL ESTATE]**

- Item No. 33 Judge Bruni stated that item would be moved to Executive session.
Discussion and possible action to authorize by order the re-naming of GARCIA STREET located in and in the vicinity of the community of Oilton to TORRECILLAS ROAD as authorized under section 251.013 of the Texas Transportation Code and at a cost of SEVEN HUNDRED DOLLARS (\$700.00). Action was requested through a petition received from Oilton community residents. [Account No. 010-7002-6205 MATERIALS & SUPPLIES]

Cmr. Cortez stepped out.

Cmr. Gutierrez motioned to approve item with correction of GARCIA STREET to GARCIA ROAD. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Cmr. Cortez not present for voting.
- Item No. 34 Discussion and possible action authorizing the Utilities Department to fill slot #2121, Heavy Equipment Operator, at a salary of \$10.60 per hour. [Account #801-3001-5001 PAYROLL]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Cortez not present for voting.
- Item No. 35 Discussion and possible action authorizing the Purchasing Agent to advertise for Engineer/Architect "Request for Proposals" for the 10,000 square feet expansion of the **(Agricultura)** (AG) Complex and Records Storage Building located on Highway 59. [Account #685-0116-6022 PROFESSIONAL SERVICES]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Cmr. Cortez not present for voting.
- Item No. 36 Discussion and possible action authorizing the purchasing agent to advertise for Engineer/Architect "Request for

Proposals" for the New County Medical Examination Facility (Morgue). [Account #676-8101-8601 CONSTRUCTION IN PROGRESS]

Comr. Gutierrez motioned to table item. Comr. Vasquez seconded the motion.

Motion carried 4-0 with Comr. Cortez not present for voting.

Item No. 40

Discussion and possible action to select a negotiator or negotiators for Webb County to meet with the Webb County Deputy Sheriff Association to negotiate issued requested by Association for the budget year beginning October 31, 2003, pursuant to the requirements of Chapter 174 of the Texas Local Government Code and any matters incident thereto.

Comr. Cortez returned.

Judge Bruni stated that he selected Comr. Cortez and Comr. Velasquez to serve as negotiators.

Comr. Gutierrez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42

Discussion and possible action to nominate Mr. Jorge Gonzalez to the Webb County Planning Advisory Board.

Comr. Cortez motioned to approve item as submitted. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45

Discussion and possible action to transfer and reclassify the following positions/slots from the Webb County Community Action Agency Weatherization Program as follows:

- a. To District Clerk's Office:
912-4206-1751 Weatherization Labor
Title change to Deputy Clerk

912-4206-1752 Weatherization Labor

Title change to Deputy Clerk

- b. To Management Information Systems Department
912-4206-1795 Assistant Clerk
Title change to State Coordinator / E.A.R. / E.D.R.

Cmr. Gutierrez stated that she is committed to finding employment within the county to those employees that were dismissed and would like to motion to approve these new positions.

Cmr. Gutierrez motioned to approve item as submitted.

Cmr. Velasquez stated that he doesn't want the salaries to be funded from the Fund Balance but will support Cmr. Gutierrez on this item.

Cmr. Cortez stated that he seconds the motion with an amendment in which Mr. Gutierrez, District Clerk, will return the next two slots that become available in his office back to the Court. Cmr. Gutierrez stated that she is not going to accept the amendment due Mr. Gutierrez's office will be back where it started. Cmr. Cortez stated that he is just watching out for the fund balance. Cmr. Vasquez stated that the Court is setting a bad precedence by creating positions for employees that were laid off. Cmr. Velasquez stated that some exceptions must be made in dipping into the fund balance. Mr. Ramirez, County Attorney, stated that the Court's authority with telling elected officials to hire displaced employees and that restrictions like this cannot be made on the motion or item. Cmr. Cortez stated that he would like to see positions transferred to Commissioners Court so that the Court can be sure that displaced employees are hired and then assign those employees to the departments needed. Mr. Ramirez stated that motion could only be to approve item as submitted without conditions.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Cortez voting against.

Item No. 46

Discussion and possible action to transfer \$68,635.00 form Fund Balance to fund salaries as indicated below:

SLOT #	TITLE	Amount
912-4206-1751	Deputy Clerk	\$28,000.00

912-4206-1752	Deputy Clerk	\$28,000.00
912-4206-1795	State Coordinator/EAR-EDR	\$30,000.00

Total Annual Salaries	\$86,000.00
Total Required 02/11/03 through 09/30/03	\$54,908.00
Total Salary Adjustments with 25% Fringe Benefit	\$68,635.00

Comr. Gutierrez motioned to approve item as submitted. Comr. Velasquez seconded the motion.

Motion carried 4-1 with Comr. Cortez voting against.

Comr. Gutierrez motioned to move into Executive Session to discuss Item No. 28 and Item No. 32. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent to move into Executive Session

EXECUTIVE SESSION

Reconvene from Executive Session

Item No. 28

Discussion and possible action to make an exception to Webb County's health insurance plan to allow coverage for reconstructive surgery to correct a congenital condition for an employee's dependent over the age of nineteen years where the surgery could not be performed prior to the dependent's nineteenth birthday because of temporary disability of the dependent's surgeon. [Account #816-0105-9201 CLAIMS PAID] **(Executive Session may be requested pursuant to Texas Open Meetings Act, Section 551.071 Texas Government Code Consultation with Attorney).**

Judge Bruni stated that no action was taken on Item No. 28. Mr. Ramirez, County Attorney, advised court to accept motion as stated.

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32

Discussion and possible action to consider a request from the City of Laredo to acquire real property from Webb

County out of the Casa Blanca Country Club Tract, more particularly, being a strip of land located between Bob Bullock Loop and the Casa Blanca Road (golf course clubhouse entrance road) and authorization for the County Judge's office to acquire the services of certified, real estate appraiser to establish the fair market value of the property with authorization for Mr. Raul Casso, Chief of Staff, to negotiate the terms, conditions, and fair market consideration with City of Laredo representatives in the development of any Interlocal agreement for the Commissioners Court's consideration and any matters incident thereto. **[EXECUTIVE SESSION IS REQUESTED PURSUANT TO TEXAS OPEN MEETINGS ACE, SECTION 551.072 OF THE TEXAS GOVERNMENT CODE, DELIBERATED REGARDING REAL ESTATE]**

Judge Bruni stated that no action was taken on Item No. 32. Mr. Ramirez, County Attorney, recommended the court conduct an appraisal of the land before finalizing any contract.

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent

Item No. 47

Adjournment

Comr. Gutierrez motioned to adjourn meeting. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.